IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTEENTH DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

and
THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 11317 of 2005

Between:

Smt. P. Swarnalatha, W/o. A. Venugopala Rao,
Secondary Grade Teacher, M.P.C. Primary School, Ramanthapur,
R.R. District.

..... PETITIONER

AND

1 The Government of Andhra pradesh, Rep. by its Secretary School Education, Secretariat Buildings, Hyderabad.
2 The Commissioner and Director of School Education, Andhra Pradesh, Hyderabad.
3 The District Educational Officer, Ranga Reddy District.
4 The Mandal Educational Officer, Hayathnagar Mandal, Ranga Reddy District.
5 The Head Master, M.P.C. Primary School, Ramanthapur, Ranga Reddy District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to call for the records in the impugned order in O.A.NO. 4295/2003 on the file of the A.P. Administrative Tribunal, Hyderabad dated 15-03-2005 and quash the same by issuing as Writ of Certiorari or any other appropriate Writ Order or direction and issue consequential direction to the respondents to consider the application of the Petitioner dated 01-04-2005 for regular transfer to either Hyderabad or Ranga Reddy District.

Counsel for the Petitioner:MR.D.KRISHNA MURTHY

Counsel for the Respondents: GP FOR SCHOOL EDUCATION

The Court made the following :

ORDER: (Per the Honourable Sri Justice V.Eswaraiah)

The petitioner questions the order of the A.P.Administrative Tribunal, Hyderabad, dated 15.3.2005 made in O.A.No:4295 of 2003.

The petitioner challenged the order dated 14.5.2003 in the said O.A. stating that the said order is contrary to G.O.R.T.No:67, Education, dated 25.1.2001.

A perusal of G.O.Rt.No:67 goes to show that the petitioner was permitted to work under the District Educational Officer, Ranga Reddy District, for a period of 3 years as a Deputationist on her request, but not by way of transfer as alleged by the petitioner. Therefore, the impugned order has been passed after completion of three years, by the Government for relieving her from M.P.C Primary School, Ramanthapur, Ranga Reddy District, so as to joint in Srikakulam. The Government has passed the order dated 14.5.2003 pursuant to a policy decision taken in G.O.Ms.No:99, dated 17.2.2003 cancelling all the existing deputations for all the categories of Teachers in various Districts of the State. But, the said G.O. has not at all been questioned or challenged. The Tribunal has also dismissed several O.As. challenging the cancellation of the deputations and following the earlier decisions, the Tribunal has also dismissed the O.A. filed by the petitioner.

We have perused the material available on record and heard the learned counse

The learned counsel for the petitioner contends that the Government has considered the case of the petitioner for transfer to Ranga Reddy District from

Srikkaulam District on regular basis and therefore, the case of the petitioner may be considered.the case of the petitioner may be considered.

A perusal of the orders ;goes to show that on a temporary basis, the petitioner has been transferred from Srikakulam District to Ranga Reddy District to work on deputation, but not as a measure of regular transfer. Therefore, it cannot be said that she was permanently transfer to Ranga Reddy District.

Hence, We see no merits in this writ petition and the same is liable to be dismissed.

Accordingly, this writ petition is dismissed. No costs.

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V.ESWARAIAH, J

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K.C.BHANU, J

DATED: 17th May, 2005.

1 The Secretary School Education, Government of Andhra pradesh
Secretariat Buildings, Hyderabad.
2 The Commissioner and Director of School Education, Andhra Pradesh, Hyderabad.
3 The District Educational Officer, Ranga Reddy District.
4 The Mandal Educational Officer, Hayathnagar Mandal, Ranga Reddy District.
5 The Head Master, M.P.C. Primary School,
Ramanthapur, Ranga Reddy District.

6 Two C.Cs to the G.P., for School Education, High Court Buildings, Hyderabad (out).

7 Two C.D. copies.